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Date: August 22, 2005

To: Examiner Monica D. Harrison - GAU 2813  
Fax No: 571-273-8300From: John G. Rauch  
Tel. No: 312 321 4288

Client No: 10808

No. of Pages  
(inc. this page): 9Confirmation Copy To Follow: Yes ☐ No ☒IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,  
PLEASE CALL 312-321-4200 AND ASK FOR: John G. Rauch

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

**COVER MESSAGE:**Please forward to the attention of Examiner Monica D. Harrison, Group Art Unit  
2813.

John G. Rauch

AUG 22 2005

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8</b> I hereby certify that this correspondence, totaling <u>9</u> pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 on the below date: Date: <u>August 22, 2005</u> Name: <u>John G. Rauch</u> Signature: <u>[Signature]</u>		
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**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Franz Schuler et al.

Appln. No.: 10/501,406

Filed: January 7, 2005

For: NON-VOLATILE TWO-TRANSISTOR  
SEMICONDUCTOR MEMORY CELL AND  
METHOD FOR PRODUCING THE SAME

Examiner: Harrison, Monica

Art Unit: 2813

Attorney Docket No: 10808/145

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

## Attached is/are:

- ☒ Request for Correction of Priority Date and attachments (7 pages)  
☐ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

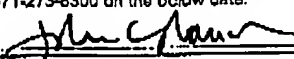
Respectfully submitted,

[Signature]  
John G. Rauch (Reg. No. 37,218)

Date

8/22/05

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<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8</b>		
I hereby certify that this correspondence, totaling <u>9</u> pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 on the below date:		
Date: <u>AUGUST 22, 2005</u>	Name: <u>John G. Bauch</u>	Signature: 

Our Case No. 10808/145  
Client ref. In 1221WOUS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Franz Schuler et al.

Serial No. 10/501,406

Filing Date: January 7, 2005

For NON-VOLATILE TWO-  
TRANSISTOR SEMICONDUCTOR  
MEMORY CELL AND METHOD  
FOR PRODUCING THE SAME

Examiner: Harrison, Monica D.

Group Art Unit No. 2813

**REQUEST FOR CORRECTION OF PRIORITY DATE**

Attention: Examiner Monica D. Harrison  
Group 2813  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Harrison:

Further to our recent telephone discussion, please arrange for correction of the priority date for this application in the U.S.P.T.O. database.

A copy of Form PCT/DO/EO/903 mailed in connection with the application on February 17, 2005 is enclosed. This Notice of Acceptance reflects a priority date of January 15, 2001, which is incorrect. The correct priority date is January 15, 2002

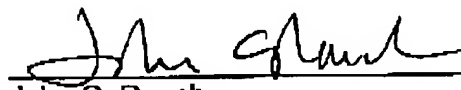
A copy of the Declaration For Patent Application, Power of Attorney & Designation of Correspondence Address as signed by the Inventor is also enclosed. The Declaration correctly reflects the correct priority date of January 15, 2002.

Application no. 10/501,406  
Communication dated: August 22, 2005

Please correct the U.S.P.T.O. database to reflect the correct priority date.  
Please have a corrected filing receipt or Notice of Acceptance issued for this  
application.

Thank you very much for your assistance. Please contact me if I can provide  
additional information.

Respectfully submitted,



John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

PAGE 1 OF 2



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22315-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,406	Franz Schuler	10808/145

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/DE02/04522

LA. FILING DATE	PRIORITY DATE
12/10/2002	01/15/2001

48581  
 BRINKS HOFER GILSON & LIONE  
 INFINEON  
 PO BOX 10395  
 CHICAGO, IL 60610

CONFIRMATION NO. 9530

371 ACCEPTANCE LETTER

\*OC00000015194674\*

Date Mailed: 02/17/2005

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>01/07/2005</u>	<u>01/07/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 07/13/2004
- Copy of the International Search Report filed on 07/13/2004
- Copy of IPE Report filed on 07/13/2004
- Preliminary Amendments filed on 07/13/2004
- Information Disclosure Statements filed on 07/13/2004
- Oath or Declaration filed on 01/07/2005
- Request for Immediate Examination filed on 07/13/2004
- Copy of references cited in ISR filed on 07/13/2004
- U.S. Basic National Fees filed on 07/13/2004
- Priority Documents filed on 07/13/2004

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 3 - OFFICE COPY

FORM PCT/DQ/EO/503 (371 Acceptance Notice)